

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**CALEB RODGERS**

**PLAINTIFF**

**VS.**

**CIVIL ACTION: 4:19-CV-00191-MPM-JMV**

**ROBERT SMART *et al.***

**DEFENDANTS**

**ORDER**

This matter is before the court on the [37] motion of plaintiff to conduct discovery on immunity-related issues.<sup>1</sup> In the exercise of the court's discretion, the motion is hereby granted and the stay of discovery is hereby lifted for, among others, the following reasons: 1) this case is currently set for trial in March of 2021 and the case management deadlines—including the discovery deadline—in this case are swiftly approaching, and 2) the pending motion to conduct discovery does not concern a qualified immunity defense to a claim raised pursuant to 42 U.S.C.A. § 1983 by an individual defendant. The Defendant, Cleveland School District, shall respond to the discovery propounded to it [18] within thirty (30) days of today's date.

**SO ORDERED** this, the 17<sup>th</sup> day of July, 2020.

/s/ Jane M. Virden

**UNITED STATES MAGISTRATE JUDGE**

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<sup>1</sup> The specific discovery plaintiff seeks to conduct consists of 13 interrogatories and 9 requests for production propounded to defendant on February 21, 2020.